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Facsimile Cover Sheet

To: Hon. Commissioner for Patents, TC2600
ATTN: Examiner BRIAN Q. LE

Fax: (703) 872-9306 **Pages:** 28 (inclusive)

Re: Serial No.: 09/400,346 **Date:** September 6, 2004
Filed: September 20, 1999
Attorney Docket No: MCS-058-99

Urgent **For Review** **Please Comment** **Please Reply**

CERTIFICATE OF TRANSMISSION UNDER 37 C.F.R. §1.8

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Craig S. Fischer

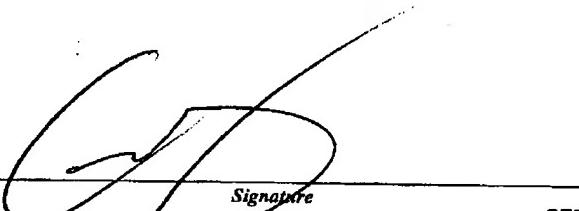
Typed or printed name of person signing Certificate

This correspondence includes the following attached papers:

1. Facsimile Cover Sheet including Certificate of Transmission under 37 C.F.R. § 1.8 (1 page);
2. Request for Continued Examination (RCE) Transmittal Letter (1 page);
3. Credit Card Payment Form (1 page for RCE filing fee);
3. Credit Card Payment Form (1 page for additional claims fee);
4. Amendment Transmittal Letter (1 page);
5. Preliminary Amendment to Accompanying RCE (23 pages).

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| | | | | |
|---|-------------------------------------|-----------------------------|--------------------------------|--------------------------|
| TRANSMITTAL LETTER (Large Entity) Applicant(s): TOYAMA | | | | Docket No. MCS-058-99 |
| Serial No. 09/400,346 | Filing Date 09/20/1999 | Examiner B. LE | Group Art Unit 2623 | |
| Invention: SYSTEM AND METHOD FOR BACKGROUND MAINTENANCE OF AN IMAGE SEQUENCE | | | | |
| RECEIVED <u>TO THE HON. COMMISSIONER FOR PATENTS:</u> CENTRAL FAX CENTER | | | | |
| Transmitted herewith is an amendment in the above-identified application. | | | | |
| The fee has been calculated and is transmitted as shown below. | | | | |
| CLAIMS AS AMENDED | | | | |
| | CLAIMS REMAINING AFTER AMENDMENT | HIGHEST # PREV. PAID FOR | NUMBER EXTRA CLAIMS PRESENT | RATE |
| TOTAL CLAIMS | 26 - | 22 = | 4 | x \$18.00 |
| INDEP. CLAIMS | 6 - | 5 = | 1 | x \$86.00 |
| Multiple Dependent Claims (check if applicable) <input type="checkbox"/> | | | | |
| TOTAL ADDITIONAL FEE FOR THIS AMENDMENT \$ 158.00 | | | | |
| <p><input type="checkbox"/> No additional fee is required.</p> <p><input type="checkbox"/> Please charge Deposit Account No. _____ in the amount of _____ A duplicate copy of this sheet is enclosed.</p> <p><input type="checkbox"/> A check in the amount of _____ to cover the filing fee is enclosed.</p> <p><input checked="" type="checkbox"/> Two (2) Credit Card Payment Forms (PTO-2038) for payment for the RCE filing fee and an additional claims fee in the amount of \$ 770.00 and \$158.00 are attached.</p> | | | | |
|  Dated: September 6, 2004 | | | | |
| <p>Craig S. Fischer Registration No. 42,535 LYON & HARR, L.L.P. 300 East Esplanade Drive Suite 800 Oxnard, CA 93036-1274 TEL: (805) 278-8855 FAX: (805) 278-8064</p> <p>CERTIFICATE OF FACSIMILE TRANSMISSION UNDER 37 C.F.R. § 1.8 I hereby certify that this paper and every paper referred to therein as being enclosed is being facsimile transmitted to Mail Stop: RCE, Hon. Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, TC2600 at (703) 872-9306.</p> <p>Date of Transmission: <u>September 6, 2004</u></p> <p>By: Craig S. Fischer</p> <p>Signature: </p> | | | | |

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on September 6, 2004

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Craig S. Fischer

By _____

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27662

PATENT TRADEMARK OFFICE

PATENT

Microsoft Matter No.: 128795.01
Attorney Docket No.: MCS-058-99

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re the Application of: TOYAMA et al.

Serial No.: 09/400,346

Group Art Unit: 2623

Filed: September 20, 1999

Examiner: B. Le

For: **SYSTEM AND METHOD FOR BACKGROUND
MAINTENANCE OF AN IMAGE SEQUENCE**

PRELIMINARY AMENDMENT

Hon. Commissioner for Patents
Washington, DC 20231
TC2600
Facsimile No.: (703) 872-9306

Sir:

In response to the final Office Action dated May 6, 2004, and preliminary to examining the above-identified patent application under the Request for Continued Examination, the Applicants respectfully request the application be amended as set forth below.

09/08/2004 JBALINAH 00000003 09400346

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| 01 FC:1201 | 86.00 0P |
| 02 FC:1202 | 72.00 0P |

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